

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NANCY KOWALSKI, *on behalf of herself and all  
others similarly situated,*

Plaintiff,

v.

CV11-2919 (JAM)(JO, M.J.)

APPLE REIT TEN, INC., APPLE REIT NINE, INC.,  
DAVID LERNER ASSOCIATES, INC., DAVID  
LERNER, GLADE M. KNIGHT, BRYAN PEERY,  
KENT W. COLTON, GLENN W. BUNTING, R.  
GARNETT HALL, JR., RONALD A. ROSENFELD,  
ANTHONY FRANCIS "CHIP" KEATING, III, LISA  
B. KERN, BRUCE H. MATSON, MICHAEL S.  
WATERS, AND ROBERT M. WILY,

Defendants.

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**DECLARATION OF JOSEPH P. GUGLIELMO IN SUPPORT OF PLAINTIFF  
ROBERT LUBIN'S MOTION FOR APPOINTMENT AS LEAD PLAINTIFF AND  
APPROVAL OF LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL**

I, Joseph P. Guglielmo, declare as follows:

1. I am a partner at the law firm of Scott+Scott LLP, counsel for Proposed Lead Plaintiff in this matter. I make this declaration in support of Proposed Lead Plaintiff Robert Lubin's Motion for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Lead Counsel. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I declare that attached to this declaration are true and correct copies of the following exhibits obtained from reliable sources:

Exhibit A: Notice of this action, published June 17, 2011;

Exhibit B: Robert Lubin's Certification; and

Exhibit C: Scott+Scott LLP Firm Résumé.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at New York, New York, August 16, 2011.

/s/ Joseph P. Guglielmo  
JOSEPH P. GUGLIELMO

*Counsel for Proposed Lead Plaintiff*

CERTIFICATE OF SERVICE

The undersigned certifies that on August 16, 2011, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court for the Eastern District of New York using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Joseph P. Guglielmo  
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